



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3065 / TELEPHONE 547-7000

For Immediate Release
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City Council Discusses Issues Related to Mass Transit

Proposed Legislation Express Council's Right to Select Technology for Fixed Guideway System and Urges Administration to Fulfill Requirements Enacted in Ordinance 07-01

HONOLULU, HI – Several members of the Honolulu City Council introduced two proposals related to mass transit. Proposals would provide more transparency and openness to the technology selection process and provide the Council and public information on how and what specifications will be required for any request for proposals related to the Locally Preferred Alternative, including technology.

Resolution 08-45 expresses the Council's intent to exercise its right to select the technology for the fixed guideway system since Ordinance 07-01 is not superceded or repealed by Resolution 07-376, CD1, FD1, as testified by the city's Deputy Corporation Counsel.

"When you have four experts in rail, of course their selection will be rail," said Councilmember Ann Kobayashi. "I look forward to discussion at the Council on the selection of technology because we take our responsibility to protect taxpayer's money seriously."

"It's obvious it's been predetermined and with very little public involvement. This panel only went through the motions," said Councilmember Dela Cruz. "The four that voted for the Mayor's technology aren't even paying for it, in fact, they were each paid \$20,000 and an all expense paid trip to Hawaii."

"It is wrong to allow this panel of un-elected, unaccountable, largely mainland experts to make the final decision on how to spend billions of taxpayer dollars," said Councilman Charles Djou. "The final decision should ultimately be made by the City Council, who were elected by the people."

(cont'd)

Resolution 08-51 urges the Administration to comply with Section 7 of Ordinance 07-01 which states that the city Administration shall submit to the council the specifications in each proposed request for proposals or invitation for bids for work that includes the planning, design, or construction of any portion of the locally preferred alternative before issuing the request or invitation.

Copies of the legislation can be found on the City Council website
<http://www.honolulu.gov/council/index1.htm> .

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RESOLUTION

EXPRESSING THE COUNCIL'S INTENT TO EXERCISE ITS RIGHT TO SELECT THE TECHNOLOGY FOR THE FIXED GUIDEWAY SYSTEM.

WHEREAS, the city council enacted Ordinance 07-001 (2007) selecting the fixed guideway alternative as the Locally Preferred Alternative (LPA) in accordance with the Federal Transit Administration's (FTA) New Starts guidance; and

WHEREAS, the city has proceeded, with the concurrence from FTA, with the preparation of an environmental impact document and is in the process of further defining the fixed guideway by selecting the vehicle and propulsion technology within the fixed guideway performance criteria specified in the Alternatives Analysis; and

WHEREAS, the city recognizes that there are several technology options that meet the minimum and standard criteria. Generally, these include "steel wheel on steel rail," "rubber tires on concrete," "monorail," and "magnetic levitation" technologies; and

WHEREAS, it is the city's intent to select the technology that is evaluated to be the most advantageous to the city, in terms of performance, cost, and quality of service; and

WHEREAS, to this end, with the adoption on January 23, 2008 of Resolution 07-376, CD1, FD1, the council established an expert panel to report to the city council and administration on its technology evaluation and selection based on submissions of technology information pursuant to the city's request for information (Dept. Com. 858, 2007); and

WHEREAS, the expert panel established with the approval of the council has advisory powers only, since Ordinance 07-001 (2007), with which the council selected the fixed guideway alternative as the Locally Preferred Alternative, also explicitly reserved the council's right to select the technology of the fixed guideway system in Section 6 of the ordinance, and that ordinance authority is not superseded or repealed by Resolution 07-376, CD1, FD1, as testified by the city's Deputy Corporation Counsel; and

WHEREAS, Section 6 of Ordinance 07-001 (2007) provides for the selection of the technology as follows: "If the council exercises the right, the council shall select the technology through subsequent ordinance passed on third reading by the council ..."; and



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No. 08 - 45

RESOLUTION

WHEREAS, Bill 80 (2006), currently with the Transportation and Public Works committee and available to the council, was introduced as the means for the council to select the technology of the locally preferred alternative; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it declares its intent to exercise its right to select the technology for the fixed guideway system pursuant to Section 6 of Ordinance 07-001 (2007); and

BE IT FURTHER RESOLVED that the council finds that utilizing an advisory panel to assist the council in the selection of technology is advantageous to the city; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the directors of the department of transportation services, the department of budget and fiscal services, the managing director, and the mayor.

INTRODUCED BY:

Sam Kobayashi
Daniel W. Lee
Joseph A. ...
Romy M. ...

DATE OF INTRODUCTION:

FEB 20 2008

Honolulu, Hawaii

Councilmembers



RESOLUTION

URGING THE CITY ADMINISTRATION TO SUBMIT TO THE COUNCIL THE SPECIFICATIONS PRIOR TO EACH REQUEST FOR PROPOSALS OR INVITATION FOR BIDS FOR THE HONOLULU HIGH CAPACITY TRANSIT PROJECT.

WHEREAS, the City Council enacted Ordinance 07-001 (2007) selecting the fixed guideway alternative as the Locally Preferred Alternative (LPA) for the Honolulu High Capacity Transit Project ("project") in accordance with the Federal Transit Administration's (FTA) New Starts guidance; and

WHEREAS, the City and County of Honolulu intends to seek capital transit funding from the FTA's New Starts program and, therefore, compliance with the program's guidance ensures the city's eligibility for the program funds; and

WHEREAS, the city has proceeded, with concurrence from the FTA, with the preparation of an environmental impact document and is in the process of further defining the fixed guideway alternative by selecting the vehicle and propulsion technology within the fixed guideway performance criteria specified in the project's Alternatives Analysis; and

WHEREAS, it is the city's intent to select the project technology that is evaluated to be the most advantageous to the city, in terms of performance, cost, and quality of service; and

WHEREAS, Section 7 of Ordinance 07-001 requires the city administration to submit to the council its proposed specifications for each proposed request for proposals ("RFP") or invitation for bids for work that includes the planning, design, or construction of any portion of the locally preferred alternative before issuing the request or invitation; and

WHEREAS, Section 7 further states that the city administration shall not issue any request for proposals or invitation for bids until after the specifications have been approved by the council; and

WHEREAS, this requirement is similar to the council's requirement imposed for the 1990-1991 Honolulu Rapid Transit Development Project ("RTD project"), when the council adopted Resolution 90-284 CD1, conditioning its support of the RTD project on coordinating the preparation and issuance of the RFP with the council, on the administration sharing copies of the draft RFP with the council, and on the administration addressing the council's comments; now, therefore,



RESOLUTION

BE IT RESOLVED by the Council of the City and County of Honolulu that the city administration is urged to comply with Ordinance 07-001 and submit to the council for its review the administration's proposed specifications for each proposed request for proposals or invitations for bids for work that includes the planning, design, or construction of any portion of the project; and

BE IT FURTHER RESOLVED that in accordance with the ordinance, the city administration is urged to refrain from issuing the request for proposals or invitation for bids until after the specifications are approved by the council; and

BE IT FURTHER RESOLVED that in releasing the proposed specifications to the council, the city administration is urged to implement reasonable safeguards when necessary to ensure that all vendors will have equal treatment and that the state procurement code is complied with; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to the directors of the department of transportation services and the department of budget and fiscal services, the managing director, and the mayor.

INTRODUCED BY:

[Signature]
[Signature]
[Signature]
[Signature]

DATE OF INTRODUCTION:

FEB 22 2008

Honolulu, Hawaii

Councilmembers